

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1651 – HB 1666

April 2, 2018

SUMMARY OF ORIGINAL BILL: Deletes the provision in statute that allows a court to consider the amount of time each parent spends with a child when determining custody in parental relocation. Requires court to solely consider what is in the best interest of the child. Requires a relocating parent to provide clear and convincing evidence that relocation is in the best interest of the child according to the factors codified in Tenn. Code Ann. § 36-6-106(a)(1)-(15).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (016075): Deletes all language after the enacting clause. Authorizes a parent to relocate with a child if no objection has been made by the non-relocating parent within 30 days of the date notice is sent by registered or certified mail. Requires the court to determine whether relocation is in the best interest of the child using eight factors referenced in the legislation.

Requires the court to create a new permanent parenting plan if the court finds it is not in the best interest of the child to relocate with the relocating parent, and the relocating parent still elects to relocate.

Authorizes either parent in a parental relocation matter to recover reasonable attorney fees and other litigation expenses from the other parent.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- No fiscal impact on the operations of the Department of Children's Services.
- Based on information provided by the Administrative Office of the Courts, any increase in the number of petitions filed would be absorbed within the existing judicial resources.

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- Any fiscal impact will be borne by private parties; therefore, no fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh